

# The cartoon issue: Turning crisis into opportunity

## Reconciling rights and responsibilities

BY BERTRAND DE CROMBRUGGHE

The publication of cartoons depicting the Prophet Mohamed in several newspapers — first in September 2005, and then again at the start of this year — caused controversy and concern in the global community. Alarmed by the escalating violence and stirred passions, world leaders made a plea to maintain calm and to use common sense.



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In a statement on 7 February, the OSCE Chairman-in-Office, Belgian Foreign Minister Karel De Gucht, urged that freedom of expression be upheld, while also reminding media professionals of their responsibility towards society at large.

He acknowledged the challenge of the constant balancing act between freedom of expression and respect for religious beliefs and traditions. “The freedom to express one’s opinion is a cornerstone of all democratic societies,” the Chairman-in-Office said, “but responsible media can also play a supportive role in the promotion of dialogue, mutual respect and understanding.”

United Nations Secretary General Kofi Annan, Secretary

General Ekmeleddin Ihsanoglu of the Organization of the Islamic Conference, and the High Representative for Common Foreign and Security Policy of the European Union, Javier Solana, had struck a similar chord in their joint response. Freedom of the press, they said, “entails responsibility and discretion, and should respect the beliefs and tenets of all religions”.

In a joint article that appeared in key international newspapers, Prime Minister José Luis Rodríguez Zapatero of Spain and Prime Minister Recep Tayyip Erdogan of Turkey appealed for an end to the “spiral of hatred and obfuscation”.

Pledging they would never relinquish the right to freedom of expression, the co-founders of the UN-backed Alliance of Civilizations said that although publication of the cartoons had been perfectly legal, they had lent themselves to “many misunderstandings and misrepresentations of cultural differences that are perfectly in harmony with our commonly shared values”.

For their part, the OSCE participating States have consistently reaffirmed their profound attachment to freedom of expression and, equally, to the principles of tolerance and mutual respect between people holding differing opinions and beliefs. These core commitments are set out jointly and comprehensively in the Helsinki Final Act of 1975.

At the OSCE Budapest Summit in 1994, world leaders once again took the opportunity to strongly reaffirm their commitment to freedom of expression as a fundamental human right, and to independent and pluralistic media as vital to free and open societies.

Most recently, at their annual meeting in Ljubljana in December 2005, Foreign Ministers adopted a decision calling attention to “the need for consistently and unequivocally speaking out against acts and manifestations of hate, particularly in political discourse, and working in favour of tolerance, mutual respect and understanding”. The decision builds on the OSCE conferences on tolerance — in Vienna (June and September 2003), Berlin (April 2004), Brussels (September 2004) and Cordoba (June 2005).

With the onset of the cartoon controversy, principles long perceived as compatible and non-controversial suddenly found themselves under threat. To avert a further polarization of positions, the OSCE Chairman-in-Office called urgently for an informal meeting on 16 February.

All key OSCE “stakeholders” were represented: 55 participating States and 11 Mediterranean and Asian Partners for Co-operation, the three Personal Representatives

on Tolerance and Non-Discrimination, the Representative on Freedom of the Media, the High Commissioner on National Minorities, the Office for Democratic Institutions and Human Rights (ODIHR), the Secretary General and the Parliamentary Assembly.

This unprecedented brainstorming session set the stage for an earnest and vigorous debate. The gathering also served as a platform for participants to air their views and to present immediate and longer-term measures aimed at overcoming differences.

Speakers underscored the power of the media to shape opinion and convey messages that, in some instances, are positive and conciliatory but, in others, could prove divisive or even inflammatory. Yet, many expressed disapproval of any form of direct interference with the functioning of a press if it were to remain free. They questioned whether governments should take it upon themselves to exercise "editorial wisdom".

At the same time, representatives stressed that governments should be able to distance themselves from media content that was deemed offensive. In addition, they underlined the importance of rejecting outright the identification of terrorism and violent extremism with any religion or belief, culture, ethnic group, nationality or race.

Participants agreed that the OSCE needed to speak with one clear and coherent voice in responding to the crisis. They felt strongly that activities to combat hate and prejudice should be expanded and that civil society should be drawn closer to these efforts. Repeated calls were made for existing OSCE commitments to be implemented to the fullest extent possible.

The special discussion, along with intense follow-up consultations, enabled the Chairmanship to chart the OSCE's future course. Drawing on the broad range of proposals, the Chairmanship prepared a joint work plan to guide the immediate task at hand: to develop a concerted approach to addressing the challenges that came to the fore during the crisis.

The work plan's key elements include:

- Exchanges with the High-Level Group of the UN Alliance of Civilizations;
- A Ministerial or Permanent Council Decision bringing together the principles of dialogue, mutual respect and human rights, including freedom of expression. This would send the strong political message that, in functioning democracies, these are complementary, not contradictory values;
- An NGO roundtable to be initiated by the ODIHR, in co-operation with the Representative on Freedom of the Media, the

three Personal Representatives on Tolerance and Non-Discrimination, and members of the ODIHR's Advisory Panel of Experts on Freedom of Religion and Belief;

- An event to discuss the values inherent in media freedom. The initiator would be the Representative on Freedom of the Media, with journalists, illustrators and experts from participating States and Partner States from Asia and the Mediterranean taking part;
- An upgrade of the level of representation at the human dimension implementation meeting on tolerance in Almaty in mid-June, which will deal with inter-cultural, inter-religious and inter-ethnic understanding;
- New or expanded projects and programmes, involving participating States as well as Partner States. Activities could include a set of guidelines for education on tolerance, a study on free expression and possible legal limitations, and expanded coverage of ODIHR's Database on Tolerance and Non-Discrimination to include good practices; and



- Increased synergy with, among others, the Euro-Mediterranean Partnership/Barcelona Process, the European Monitoring Centre on Racism and Xenophobia, the Council of Europe, the European Commission against Racism and Intolerance, the UN High Commissioner for Human Rights, the UN Committee on the Elimination of Racial Discrimination, and the Organization of the Islamic Conference.

No doubt, the scope of this programme is ambitious. But with the willing contribution of each and every participating State and Partner for Co-operation, the 2006 Belgian Chairmanship hopes to turn the unfortunate controversy into an opportunity — an opportunity to demonstrate that mutual respect and understanding within the OSCE can take the upper hand, even among countries that have a free media.

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